


Application Number 	Application/Control No. 10/809,991	Applicant(s)/Patent under Reexamination DANEK ET AL.	
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TERMINAL DISCLAIMER	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
<p>Date Filed : 6/8/07</p> <p>TD #2</p>	<p>This patent is subject to a Terminal Disclaimer</p>	<p>Reason(s):</p>

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<p>6/22/07</p> <table border="0" data-bbox="115 1113 1472 1423"> <tr> <td data-bbox="115 1113 730 1260"> <input type="checkbox"/> Sharon Green Paralegal Specialist Technology Center 3700 </td> <td data-bbox="730 1113 1472 1260"> <input type="checkbox"/> Patricia Martin Paralegal Specialist Technology Center 3700 </td> </tr> <tr> <td data-bbox="115 1260 730 1423"> <input type="checkbox"/> Jan Hurley Paralegal Specialist Technology Center 3700 </td> <td data-bbox="730 1260 1472 1423"> <input type="checkbox"/> Andre Robinson Paralegal Specialist Technology Center 3700 </td> </tr> </table>		<input type="checkbox"/> Sharon Green Paralegal Specialist Technology Center 3700	<input type="checkbox"/> Patricia Martin Paralegal Specialist Technology Center 3700	<input type="checkbox"/> Jan Hurley Paralegal Specialist Technology Center 3700	<input type="checkbox"/> Andre Robinson Paralegal Specialist Technology Center 3700
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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
ASTXNA00402

In re Application of: Christopher J. DANEK et al.

Application No.: 10/809,991

Filed: March 26, 2004

For: METHODS OF TREATING REVERSIBLE OBSTRUCTIVE PULMONARY DISEASE

The owner, Amtrak, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,488,873 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

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is found invalid by a court of competent jurisdiction;

is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;

has all claims canceled by a reexamination certificate;

is reissued; or

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 42,280

S. S. Bagrie
Signature

June 8, 2007

Date

Sanjay S. Bagrie
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(550) 242-4212
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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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